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LS-4160  
Subject

**\*OGC Has Reviewed\***

Comptroller

8 July 1953

Office of General Counsel

Delegations of Authority by the Director of Central Intelligence

REFERENCE: a) Your memorandum dated 19 May 1953, same subject  
b) [REDACTED] effective 1 December 1950

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1. This office has reviewed reference b) as requested. We concur in your recommendation that it would be appropriate in view of the lapse of time since its execution by the previous Director for Mr. Dulles to execute a similar instrument.

2. Reference a) inquires whether any of the items in the existing delegations are obsolete or whether there are any new authorities recently granted to heads of agencies not presently included that should properly be so. It is our opinion that the new issuance should contain all of the items now included, but we would recommend the addition of one further item discussed in the following paragraph.

3. Title X, captioned Management Improvement Plan and Awards, of the Classification Act of 1949, (Public Law 429, 81st Congress), provides in Section 1002 in part as follows:

"SEC. 1002. (a) In each department there shall be established an Efficiency Awards Committee, the membership of which shall be designated by the head of the department.

"(b) It shall be the duty of the Efficiency Awards Committee (1) to identify those supervisors and employees within the department whose superior accomplishments have contributed to outstanding efficiency and economy in administration, and (2) to award to such supervisors and employees, subject to the approval of the head of the department and to the limitations of subsection (c), cash awards or increases in rates of basic compensation which, in the judgment of the Committee, are commensurate with their demonstrated superior accomplishments; Provided, however, That the total amount of such awards or increases to any group of supervisors and employees shall not exceed 25 per centum of the estimated saving to the Government due to their superior accomplishments."

You will note that subparagraph (b) of Section 1002 requires the approval of the head of the department for any cash awards or increases

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in rates of basic compensation. Agency Regulation [REDACTED], paragraph A(2), in implementation of Section 1002(b), authorizes the Deputy Director (Administration) to approve awards recommended by this Agency's Efficiency Awards Committee. Inasmuch as this regulation may not be considered sufficient delegation of the power to approve awards, we believe it might be advisable to include as a subparagraph 14 under paragraph A of the proposed reissuance of reference (b) the following language: "Approval of awards recommended by the Efficiency Awards Committee in accordance with Title X of the Classification Act of 1949, as amended (5 U.S.C. Section 1152(b))."

4. Subject to the foregoing and with the understanding that your office will, as part of the process of coordination, take steps to insure that the proposed reissuance of reference b) is consistent with recent and proposed regulatory issuances of this Agency and that necessary changes will be made in official titles and organizational jurisdiction, we see no legal objection to reissuance of reference b) in its substantive form.

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[REDACTED]

OGC/GHK:imm

Distribution -

Orig - Addressee  
4 - OGC  
1 - Signer

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